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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/556,905	10/24/2006	Michael Schiffmann	32860-000960/US	5729

30596 7590 08/11/2008
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EXAMINER

CHEN, SHIN HON

ART UNIT

PAPER NUMBER

2131

MAIL DATE

DELIVERY MODE

08/11/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/556,905

Applicant(s)

SCHIFFMANN ET AL.

Examiner

SHIN-HON CHEN

Art Unit

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11/15/2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-850)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date 11/15/05 and 12/21/05

DETAILED ACTION

1. Claims 1-20 have been examined.

Claim Objections

2. Claims 6, 11 and 18 are objected to because of the following informalities: the claims recite "the multiple digit code" and there is no prior introduction of "a multiple digit code". The examiner will interpret "the multiple digit code" as referring to "the code" recited in independent claims. Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Nishimoto et al. U.S. Pub. No. 20040093494 (hereinafter Nishimoto).

5. As per claim 1, Nishimoto discloses a communication processor apparatus for communication in a network, comprising: a processor to process incoming signals and to at least one of produce and provision outgoing signals (Nishimoto: [0014]; content receiving apparatus adapted to process incoming content); and a code memory, integrated in the processor, to

provision a code for the processor (Nishimoto: [0014] lines 4-5: the apparatus receives the encrypted scramble-key information/code), the code being in an encrypted form in the code memory (Nishimoto: [0014] lines 4-5: encrypted scramble key information), and the processor connectable to an external decoder to decrypt at least a part of the code (Nishimoto: [0014] lines 12-16: decryption unit external to the apparatus decrypts the encrypted scramble-key-associated information).

6. As per claim 2, Nishimoto discloses the communication processor apparatus as claimed in claim 1. Nishimoto further discloses wherein the processor and the code memory are formed by a common integrated circuit (Nishimoto: figure 3: the receiving apparatus comprises processor and code memory on a integrated circuit).

7. As per claim 3, Nishimoto discloses the communication processor apparatus as claimed in claim 2. Nishimoto further discloses wherein the common circuit is an ASIC (Nishimoto: figure 3).

8. As per claim 4, Nishimoto discloses the communication processor apparatus as claimed in claim 1. Nishimoto further discloses wherein decryption information, available to the decoder, is also stored in the code memory (Nishimoto: [0066]: the encrypted scramble key information and content ID are stored in the memory of the apparatus and later provided to the security module for decryption).

9. As per claim 5, Nishimoto discloses the communication processor apparatus as claimed in claim 1. Nishimoto further discloses wherein the code memory includes an input device for inputting an encrypted code (Nishimoto: [0014] lines 4-5: the apparatus receives the encrypted content key/encrypted code; figure 3: the apparatus stores scramble key information into memory).

10. As per claim 6, Nishimoto discloses the communication processor apparatus as claimed in claim 1. Nishimoto further discloses an interchanging device to interchange at least two digits in the multiple digit code for decryption (Nishimoto: [0066]-[0067]).

11. As per claim 7-20, claims 7-20 encompass the same scope as claims 1-6. Therefore, claims 7-20 are rejected based on the same reason set forth above in rejecting claims 1-6.

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Abraham et al. U.S. Pat. No. 5048085 discloses transaction system security method and apparatus that uses IC card as security module to execute various functions.

Bel et al. U.S. Pat. No. 7124304 discloses receiving device for securely storing a content item.

Dolan et al. U.S. Pat. No. 5604801 discloses public key data communications system under control of a portable security device.

Gammie U.S. Pat. No. 5029207 discloses external security module for a television signal decoder.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SHIN-HON CHEN whose telephone number is (571)272-3789. The examiner can normally be reached on Monday through Friday 8:30am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Shin-Hon Chen
Primary Examiner
Art Unit 2131

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